

MADERA COUNTY SUPERIOR COURT STATE OF CALIFORNIA

CIVIL HARASSMENT RESTRAINING ORDER – APPLICANT PACKET

If you need help right now and are in immediate danger, call “911.”

1. Make sure the documents are filled out as detailed as possible. Included in this packet you will find helpful information on form [CH-100-INFO Can a Civil Harassment Restraining Order Help Me?](#) The only forms you will fill out will be the following: [CH-100 Request for Civil Harassment Restraining Orders](#), [MC-020 Attachment](#) (this page is used if you need to provide additional abuse), [CH-109 Notice of Hearing](#), [CH-110 Temporary Restraining Order](#), [CLETS-001 California Law Enforcement Telecommunications Systems \(CLETS\) Information Form](#). Forms you **DO NOT** fill out are forms [CH-120 Response to Request for Orders to Stop Harassment Restraining Orders](#), [CH-120-INFO How Can I Answer a Request for Orders to Stop Harassment](#) and [CH-250 Proof of Service of Response by Mail](#), these will be served to the other party. Once you’ve completed your forms you can have the Self-Help Office review your paperwork.
2. You will need two (2) copies of form [CH-100 Request for Orders to Stop Harassment](#). **NO** copies of form [CH-109 Notice of Hearing](#), [CH-110 Temporary Restraining Order](#) and [CLETS-001](#). If the Temporary Restraining Order is granted the court will provide you with three (3) certified copies of each.
3. Take your completed documents to the Civil Division (located on the 4th Floor). The clerk will deliver your documents to a judge so that a decision can be made on your request for Temporary Restraining Order. The judge generally rules on your request for Temporary Restraining Order within 24 hours from when you file your request. If the judge grants (gives) the temporary orders requested, he or she will make “temporary” orders that only last until your court date. The temporary restraining order expires on the day of your hearing. The judge might not order everything you requested, carefully check your orders. The court will set a hearing date regardless of whether Temporary Restraining Orders were granted or not. Once you get your papers back you must have the other party served before your hearing date, usually **5 days** before your court date. Refer to the “Notice of Hearing [CH-109](#)” form to determine the deadline to serve and what forms must be served on the restrained person.
4. Included in this packet you can find helpful information on [CH-200-INFO What is a “Proof of Personal Service?”](#). Have someone over the age of eighteen NOT you or NOT a protected person in the case; personally, serve the other party with all the documents listed on page 2, item 6 of form [CH-109 Notice of Hearing](#). Have the person who served the other party fill out form [CH-200 Proof of Personal Service](#). Once it is filled out make sure to file the Proof of Service at the Civil Division prior to your next hearing date. You can also ask the Civil Sheriff’s Office to serve for you, the Sheriff will have their own Proof of Service form.

NOTE: You can also begin the process online, from home, or on one of the public computers located in the Self-Help Office on the 1st Floor at sharpcourts.org. (see attached flyer)

GET STARTED ON YOUR DOCUMENTS NOW!

You can begin the process from your phone, your computer at home, or one of the computers in the Self Help Center.

This option is available for these case types:

- Divorce
- Request for and Response to Domestic Violence Restraining Order
- Guardianship
- Name Change
- Request for Order
- Parentage Petition and Response
- Civil Harassment Restraining Order Request and Response
- Elder Abuse Restraining Order Request and Response
- Eviction/Unlawful Detainer-Landlord/Tenant

To get started:

- 1** Go to **www.sharpcourts.org** and click on the “**Online Resources**” tab.
- 2** Select the case type with which you need help.
- 3** We strongly recommend that you create an account so that you do not lose your work. You can note your username and password below. Keep this in a safe place!
Username: _____ **Password:** _____
- 4** Fill out the prompts.
- 5** When finished click "**SAVE**", then have the Self Help Center review your paperwork. Their information is below.

Madera Family Law Facilitator / Self Help Center

200 South “G” Street, Madera, CA 93637

Mon-Fri: 8AM - 3PM

(559) 416-5520

facilitator@madera.courts.ca.gov



These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

What is a civil harassment restraining order?

It is a court order that helps protect people from harassment.

Can I get a civil harassment restraining order?

You can ask for one if you are worried about your safety because someone:

- Is harassing you
- Is stalking you
- Has committed acts of violence against you, or
- Has threatened you with violence

How will the order help me?

The court can order a person to:

- Not harass or threaten you
- Not contact or go near you, *and*
- Not have a gun

You can also ask for protection for people who live with you and family members.

In a civil harassment case, the court cannot:

- Order a person to move out of your residence
- Order a person to pay child support to you
- Make orders for custody and visitation

If you need these orders, you should proceed under the Domestic Violence Protection Act. File Form DV-100.

The court also cannot:

- Order a person to pay money that he or she owes you
- Order someone to move out of rental property that you own
- Order someone to stop creating a nuisance that doesn't involve harassment

If you need these remedies, you must file a civil action.

How much does it cost?

That depends on the type of harassment. If the restrained person has used or threatened to use violence against you or has stalked you, you do not have to pay a filing fee; otherwise, you must pay the fee.

If you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form FW-001 is available for this purpose.

If the order is based on prior acts of violence, a credible threat of violence, or stalking, you are entitled to free service of the order by a sheriff or marshal. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve the order for free. If you are not eligible for free service, you may pay the sheriff or marshal to serve the order.

What forms do I need to get the order?

You must fill out all of Form CH-100, *Request for Civil Harassment Restraining Orders*, and Form CLETS-001, *Confidential CLETS Information*. If you need attachments, you may use Form MC-025. You must also fill out items 1 and 2 on Form CH-109, *Notice of Court Hearing*, and items 1, 2, and 3 on Form CH-110, *Temporary Restraining Order (CLETS)*.

Where can I get these forms?

You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

What do I need to do to get the order?

You must go to the superior court in the county where the harassment took place or the person to be restrained lives. At the court, ask where you should file your request for a civil harassment restraining order. (A self-help center or legal aid association may be able to assist you in filing your request.)

At the court, give your forms to the clerk of the court. The clerk will give you a hearing date on the *Notice of Court Hearing* form, and if your request for immediate orders is granted, a copy of the *Temporary Restraining Order* signed by a judicial officer.

How soon can I get the order?

If you ask for a temporary restraining order, the court will decide within 24 hours whether or not to make the order. Sometimes the court decides sooner. Ask whether you should wait or come back later to get the signed *Notice of Court Hearing* and *Temporary Restraining Order*.

How long does the order last?

If the court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to five years.

How will the person to be restrained know about the order?

Someone age 18 or older—**not you** or anyone else to be protected by the order—must “serve” (give) the person to be restrained a copy of the order. The server must then fill out Form CH-200, *Proof of Personal Service*, and give it to you to file with the court. For help with service, ask the court clerk for Form CH-200-INFO, *What Is “Proof of Personal Service?”*.

What if the restrained person does not obey the order?

Call the police. The restrained person can be arrested and charged with a crime.

Do I have to go to court?

Yes. Go to court on the date the clerk gives you.

Do I need to bring a witness to the court hearing?

Witnesses are not required, but it helps to have more proof of the harassment than just your word. You can bring:

- Witnesses
- Written statements from witnesses made under oath
- Photos
- Medical or police reports
- Damaged property
- Threatening letters, e-mails, or telephone messages

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use Form MC-030, *Declaration*, for this.).

Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

Will I see the restrained person at the court hearing?

If the person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer.

Can I bring someone with me to court?

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.

CH-109 Notice of Court Hearing		Clerk stamps date here when form is filed
1 Person Seeking Protection a. Your Full Name: _____ Your Lawyer (if you have one for this case): Name: _____ State Bar No.: _____ Firm Name: _____ b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail): Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ E-Mail Address: _____		Fill in court name and street address: Superior Court of California, County of _____ Court fills in case number when form is filed Case Number: _____
2 Person From Whom Protection Is Sought Full Name: _____ The court will complete the rest of this form.		
3 Notice of Hearing A court hearing is scheduled on the request for restraining orders against the person in 2: Name and address of court if different from above: Date: _____ Time: _____ Dept.: _____ Room: _____		
4 Temporary Restraining Orders (Any orders granted are on Form CH-110, served with this notice.) a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in Form CH-100, Request for Civil Harassment Restraining Orders, are (check only one box below): (1) <input type="checkbox"/> All GRANTED until the court hearing. (2) <input type="checkbox"/> All DENIED until the court hearing. (Specify reasons for denial in b, below.) (3) <input type="checkbox"/> Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)		
<small>Judicial Council of California, www.courtinfo.ca.gov Revised July 1, 2014, Mandatory Form Code of Civil Procedure, § 527.8 Approved by SJS</small>		Notice of Court Hearing (Civil Harassment Prevention) CH-109, Page 1 of 3 →

What if I am deaf or hard of hearing?

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ.Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, you should ask someone who is not listed as a person to be protected on your Request and who is over age 18 to interpret for you .

Can I agree with the restrained person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the restrained person would have to file a request with the court to cancel the order.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA
200 South G Street
Madera, Ca 93637

REQUEST FOR INTERPRETER SERVICES

CASE INFORMATION:

Case Number(s): _____ Case Name: _____

HEARING INFORMATION:

Hrg. Type: _____ Hrg. Date: _____ Time: _____ Dept.: _____

INTERPRETER(S) NEEDED FOR THE FOLLOWING LANGUAGE:

- | | | | |
|--|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Spanish | <input type="checkbox"/> Triqui* | <input type="checkbox"/> Cambodian | <input type="checkbox"/> Arabic |
| <input type="checkbox"/> Mixteco* | <input type="checkbox"/> Triqui Alto* | <input type="checkbox"/> Cantonese | <input type="checkbox"/> Russian |
| <input type="checkbox"/> Mixteco Alto* | <input type="checkbox"/> Triqui Bajo* | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Hmong |
| <input type="checkbox"/> Mixteco Bajo* | <input type="checkbox"/> Punjabi | <input type="checkbox"/> Farsi/Persian | <input type="checkbox"/> Lao |
| <input type="checkbox"/> Zapoteco* | <input type="checkbox"/> ASL | <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Other: _____ |

*For indigenous language, include state and town of origin: _____

INTERPRETER NEEDED FOR:

☐ Plaintiff/Petitioner ☐ Witness(es) _____ # of Witnesses
☐ Defendant/Respondent Time Estimate: _____

REQUESTING PARTY'S INFORMATION:

Name: _____ Phone Number: _____

Email: _____

Please email this request to:

Interpreter.Madera@madera.courts.ca.gov

or file it with the clerk's office

Please submit this form a minimum of two weeks in advance.

CONFIDENTIAL
CLETS Information

**California Law Enforcement Telecommunications System (CLETS)
 Information Form**

☐ This form is submitted with the initial filing (date): _____

☐ This is an amended form (date): _____

Important: This form **MUST NOT** become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (if you know it): _____

① **Person to Be Protected** (Name): _____
 Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____
 Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
 Mailing Address (listed on restraining order): _____
 City: _____ State: _____ Zip: _____ Telephone (optional): _____
 Vehicle (Type, Model, Year): _____ (License Number and State): _____

② **Person to Be Restrained** (Name): _____
 Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____
 Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
 Residence Address: _____
 City: _____ State: _____ Zip: _____ Telephone: _____
 Business Address: _____
 City: _____ State: _____ Zip: _____ Telephone: _____
 Employer: _____
 Occupation/Title: _____ Work Hours: _____
 Driver's License Number and State: _____ Social Security Number: _____
 Vehicle (Type, Model, Year): _____ (License Number and State): _____
 Describe any marks, scars, or tattoos: _____
 Other names used by the restrained person: _____

③ **Guns or Firearms** Describe any guns or firearms that you believe the person in ② owns or has access to (Number, types, and locations): _____

④ **Other People to Be Protected**

Name	Date of Birth	Sex	Race	Relation to Person in ①
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

☐ Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

Request for Civil Harassment Restraining Orders

Read *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

Clerk stamps date here when form is filed.

1 Person Seeking Protection

a. Your Full Name: _____

Age: _____

Your Lawyer (if you have one for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of
MADERA
200 S G Street
Madera, CA 93637

Civil Division

Court fills in case number when form is filed.

Case Number: _____

2 Person From Whom Protection Is Sought

Full Name: _____ Age: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Additional Protected Persons

a. Are you asking for protection for any other family or household members? ☐ Yes ☐ No If yes, list them:

Full Name	Sex	Age	Lives with you?	How are they related to you?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use form MC-025, Attachment.

b. Why do these people need protection? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.

This is not a Court Order.



4 Relationship of Parties

How do you know the person in ②? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 4—Relationship of Parties" for a title.

5 Venue

Why are you filing in this county? (Check all that apply):

- a. ☐ The person in ② lives in this county.
b. ☐ I was harassed by the person in ② in this county.
c. ☐ Other (specify): _____

6 Other Court Cases

a. Have you or any of the persons named in ③ been involved in another court case with the person in ②?

☐ Yes ☐ No (If yes, check each kind of case and indicate where and when each was filed.)

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(2)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(3)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(4)	<input type="checkbox"/> Paternity, Parentage, Child Custody	_____	_____	_____
(5)	<input type="checkbox"/> Elder or Dependent Adult Abuse	_____	_____	_____
(6)	<input type="checkbox"/> Eviction	_____	_____	_____
(7)	<input type="checkbox"/> Guardianship	_____	_____	_____
(8)	<input type="checkbox"/> Workplace Violence	_____	_____	_____
(9)	<input type="checkbox"/> Small Claims	_____	_____	_____
(10)	<input type="checkbox"/> Criminal	_____	_____	_____
(11)	<input type="checkbox"/> Other (specify): _____	_____	_____	_____

b. Are there now any protective or restraining orders in effect relating to you or any of the persons in ③ and the person in ②? ☐ No ☐ Yes (If yes, attach a copy if you have one.)

7 Description of Harassment

Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act.

a. Tell the court about the last time the person in ② harassed you.

- (1) When did it happen? (provide date or estimated date): _____
(2) Who else was there?

This is not a Court Order.



7 a. (3) How did the person in ② harass you? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.

(4) Did the person in ② use or threaten to use a gun or any other weapon?

☐ Yes ☐ No (If yes, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.

(5) Were you harmed or injured because of the harassment?

☐ Yes ☐ No (If yes, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.

(6) Did the police come? ☐ Yes ☐ No

If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐ No

If yes, the order protects (check all that apply):

☐ Me ☐ The person in ② ☐ The persons in ③.

(Attach a copy of the order if you have one.)

b. Has the person in ② harassed you at other times?

☐ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7b—Previous Harassment" for a title.

This is not a Court Order.



Check the orders you want. ☒**8 ☐ Personal Conduct Orders**

I ask the court to order the person in (2) **not** to do any of the following things to me or to any person to be protected listed in (3):

- a. ☐ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☐ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- c. ☐ Other (*specify*):
☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8c-Other Personal Conduct Orders," for a title.
- _____
- _____
- _____

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

9 ☐ Stay-Away Orders

- a. I ask the court to order the person in (2) to stay at least _____ yards away from (*check all that apply*):

- (1) ☐ Me. (8) ☐ My vehicle.
 (2) ☐ The other persons listed in (3). (9) ☐ Other (*specify*):
 (3) ☐ My home. _____
 (4) ☐ My job or workplace. _____
 (5) ☐ My school. _____
 (6) ☐ My children's school. _____
 (7) ☐ My children's place of child care. _____

- b. If the court orders the person in (2) to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☐ Yes ☐ No (*If no, explain below*):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.

10 ☐ Guns or Other Firearms and Ammunition

Does the person in (2) own or possess any guns or other firearms? ☐ Yes ☐ No ☐ I don't know

If the judge grants a protective order, the person in (2) will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in (2) will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.

This is not a Court Order.



11 ☐ Temporary Restraining Order

I request that a Temporary Restraining Order (TRO) be issued against the person in (2) to last until the hearing. I am presenting form CH-110, *Temporary Restraining Order*, for the court's signature together with this *Request*.

Has the person in (2) been told that you were going to go to court to seek a TRO against him/her?

☐ Yes ☐ No (If you answered no, explain why below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 11—Temporary Restraining Order" for a title.

12 ☐ Request to Give Less Than Five Days' Notice of Hearing

You must have your papers personally served on the person in (2) at least five days before the hearing, unless the court orders a shorter time for service. (Form CH-200-INFO explains What Is "Proof of Personal Service"? Form CH-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why below:

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 12—Request to Give Less Than Five Days' Notice" for a title.

13 ☐ No Fee for Filing or Service

- a. ☐ There should be no filing fee because the person in (2) has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.
- b. ☐ The sheriff or marshal should serve (notify) the person in (2) about the orders for free because my request for orders is based on unlawful violence, a credible threat of violence, or stalking.
- c. ☐ There should be no filing fee and the sheriff or marshal should serve the person in (2) for free because I am entitled to a fee waiver. (You must complete and file form FW-001, Application for Waiver of Court Fees and Costs.)

14 ☐ Lawyer's Fees and Costs

I ask the court to order payment of my ☐ lawyer's fees ☐ Court costs.

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

☐ Check here if there are more items. Put the items and amounts on the attached sheet of paper or form MC-025 and write "Attachment 14—Lawyer's Fees and Costs" for a title.

This is not a Court Order.



15 ☐ **Possession and Protection of Animals**

I ask the court to order the following:

- a. ☐ That I be given the sole possession, care, and control of the animals listed below, which I own, possess, lease, keep, or hold, or which reside in my household.

(Identify animals by, e.g., type, breed, name, color, sex.)

I request sole possession of the animals because *(specify good cause for granting order)*:

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 15a—Possession of Animals" for a title.

- b. ☐ That the person in **(2)** must stay at least _____ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of, the animals listed above.

16 ☐ **Additional Orders Requested**I ask the court to make the following additional orders *(specify)*:

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 16—Additional Orders Requested," for a title.

17 Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)_____
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

Type or print your name_____
*Sign your name***This is not a Court Order.**

SHORT TITLE: 	CASE NUMBER:
----------------------	----------------------

ATTACHMENT (Number) : 7a(3)*(This Attachment may be used with any Judicial Council form.)*

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____
(Add pages as required)

Clerk stamps date here when form is filed.

1 Person Seeking Protection

a. Your Full Name: _____

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of Madera
 200 South G Street
 Madera, California 93637
 Civil Division

Court fills in case number when form is filed.

Case Number: _____**2 Person From Whom Protection Is Sought**

Full Name: _____

*The court will complete the rest of this form.***3 Notice of Hearing****A court hearing is scheduled on the request for restraining orders against the person in (2):****Hearing Date**

Date: _____ Time: _____

Dept.: _____ Room: _____

Name and address of court if different from above:

4 Temporary Restraining Orders (Any orders granted are on form CH-110, served with this notice.)

a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in form CH-100, *Request for Civil Harassment Restraining Orders*, are (check only one box below):

(1) ☐ All **GRANTED** until the court hearing.(2) ☐ All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)(3) ☐ Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form CH-100, *Request for Civil Harassment Restraining Orders*, are:

- (1) ☐ The facts as stated in form CH-100 do not sufficiently show acts of violence, threats of violence, or a course of conduct that seriously alarmed, annoyed, or harassed the person in ① and caused substantial emotional distress.
- (2) ☐ Other (*specify*): ☐ As set forth on Attachment 4b.

⑤ Confidential Information Regarding Minor

- a. ☐ A *Request to Keep Minor's Information Confidential* (form CH-160) was made and **GRANTED**. (*See form CH-165, Order on Request to Keep Minor's Information Confidential, served with this form.*)
- b. If the request was granted, the information described in item ⑦ on the order (form CH-165) must be kept **CONFIDENTIAL**. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to \$1,000 or other court penalties.

⑥ Service of Documents for the Person in ①

At least ☐ five ☐ _____ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court's file-stamped copy of this form CH-109 to the person in ② along with a copy of all the forms indicated below:

- a. CH-100, *Request for Civil Harassment Restraining Orders* (file-stamped)
- b. ☐ CH-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. CH-120, *Response to Request for Civil Harassment Restraining Orders* (blank form)
- d. CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*
- e. CH-250, *Proof of Service by Mail* (blank form)
- f. ☐ CH-170, *Notice of Order Protecting Information of Minor* and CH-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped) **IF GRANTED**
- g. ☐ Other (*specify*): _____

Date: _____

Judicial Officer

To the Person in ① :

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form CH-200, *Proof of Personal Service*, may be used.
- For information about service, read form CH-200-INFO, *What Is "Proof of Personal Service"?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Use form CH-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.

To the Person in ② :

- If you want to respond to the request for orders in writing, file form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the person in ①.
- The person who mailed the form must fill out a proof of service form. Form CH-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may make restraining orders against you that could last up to five years and may order you to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms that you own or possess.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Clerk's Certificate

[seal]

Date: _____

Clerk, by _____, Deputy

Person in ① must complete items ①, ②, and ③ only.

① Protected Person

a. Your Full Name: _____

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Type text here Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of
Madera
200 South G Street
Madera, California 93637
Civil Division

Court fills in case number when form is filed.

Case Number: _____

② Restrained Person

Full Name: _____

Description:

Sex: ☐ M ☐ F Height: _____ Weight: _____ Date of Birth: _____

Hair Color: _____ Eye Color: _____ Age: _____ Race: _____

Home Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to Protected Person: _____

③ ☐ Additional Protected Persons

In addition to the person named in ①, the following family or household members of that person are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to Protected Person
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use form MC-025, Attachment.

④ Expiration Date

The court will complete the rest of this form.

This Order expires at the end of the hearing scheduled for the date and time below:

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

This is a Court Order.

To the Person in ②:

The court has granted the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

⑤ Personal Conduct Orders

☐ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows:**

a. You must **not** do the following things to the person named in ①

☐ and to the other protected persons listed in ③:

- (1) ☐ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
 - (2) ☐ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.
 - (3) ☐ Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
 - (4) ☐ Other (*specify*):
☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).
-
-

b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the person in ①.

⑥ Stay-Away Order

☐ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows:**

a. You must stay at least _____ yards away from (*check all that apply*):

- (1) ☐ The person in ①
- (2) ☐ Each person in ③
- (3) ☐ The home of the person in ①
- (4) ☐ The job or workplace of the person in ①
- (5) ☐ The school of the person in ①
- (6) ☐ The school of the children of the person in ①
- (7) ☐ The place of child care of the children of the person in ①
- (8) ☐ The vehicle of the person in ①
- (9) ☐ Other (*specify*):

b. This stay-away order does not prevent you from going to or from your home or place of employment.

⑦ No Guns or Other Firearms and Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

b. You must:

- (1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.

This is a Court Order.



- (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use form CH-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)*

c. ☐ The court has received information that you own or possess a firearm.

8 Possession and Protection of Animals

☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows *(specify)*:

- a. ☐ The person in ① is given the sole possession, care, and control of the animals listed below, which are owned, possessed, leased, kept, or held by him or her, or reside in his or her household.
(Identify animals by, e.g., type, breed, name, color, sex.)

- b. ☐ The person in ② must stay at least _____ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of, the animals listed above.

9 Other Orders

☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows *(specify)*:

☐ Additional orders are attached at the end of this Order on Attachment 9.

To the Person in ①:

10 Mandatory Entry of Order Into CARPOS Through CLETS

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one)*:

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☐ By the close of business on the date that this Order is made, the person in ① or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.

This is a Court Order.



11 No Fee to Serve (Notify) Restrained Person ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this Order without charge because:

- a. ☐ The Order is based on unlawful violence, a credible threat of violence, or stalking.
- b. ☐ The person in ① is entitled to a fee waiver.

12 Number of pages attached to this Order, if any: _____

Date: _____

Judicial Officer

Warnings and Notices to the Restrained Person in ②**You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item ⑦ above. The court will require you to prove that you did so.

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form CH-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item ②.

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in ①.
- You must have form CH-120 served by mail on the person in ① or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign form CH-250, *Proof of Service by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at www.courts.ca.gov/forms. If you do not know how to prepare a declaration, you should see a lawyer.

This is a Court Order.

- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item ④ on page 1.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

What is "service"?

Service is the act of giving your court papers to the other party in your case. There are different ways to serve the other party: in person, by mail, and others.

Why do my court papers need to be served?

Before a judge can grant a civil harassment restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. Also, if a restraining order is in place, the police cannot arrest the restrained person for violating the restraining order until the restrained person is served with the order.

What is "personal service"?

Personal service is when someone, known as a server, personally delivers your court papers to the other party.

In most cases, these forms must be served on the other party by personal service:

- ▶ [Form CH-109](#);
- ▶ [Form CH-100](#);
- ▶ [Form CH-110](#);
- ▶ [Form CH-120](#) (leave this form blank);
- ▶ [Form CH-120-INFO](#); and
- ▶ [Form CH-250](#) (leave this form blank).

Who can serve my court papers?

Any adult who is not protected by the restraining order can serve your court papers. **You cannot serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you want to serve your papers.

A sheriff or marshal will serve your court papers for free if:

- The court granted you a fee waiver; or
- The restraining order is based on stalking, violence, or a credible threat of violence.

A registered process server is a business you pay to deliver papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

How do I have my court papers served?

○ Step 1: Choose a server

The person who gives your court papers to the other party is called a server. Your server must be at least 18-years-old. They must not be protected by the restraining order or involved in your case. This means that you cannot serve your own court papers.

○ Step 2: Have your server give your court papers to the other party

Give your server these instructions:

- ① Before you serve the forms, note which forms you have, including the name of the form and the form number. See [form CH-200](#) for a list of forms.
- ② Find the person you need to serve. Make sure you are serving the right person by asking the person's name.
- ③ Give the person the papers. If the person refuses to take the papers, put them on the ground or somewhere next to the person. The person doesn't have to touch or sign for the papers. It is okay if they tear them up.
- ④ Fill out [form CH-200](#) completely and sign.
- ⑤ File [form CH-200](#) with the court or give [form CH-200](#) to the person who is asking for the restraining order so they can file it.

○ Step 3: File proof with the court

The court needs proof that service happened and that it was done correctly. If your server was successful, have your server fully complete and sign [form CH-200](#). **The person you want restrained does not sign anything.**

File [form CH-200](#) with the court in your case as soon as possible. This information will automatically go into a restraining order database that police have access to.

If the sheriff or marshal served your court papers, they may use another form for proof besides [form CH-200](#). Make sure a copy is filed with the court and that you get a copy.



When is the deadline to serve my court papers?

It depends. To know the exact date, you need to look at two items on [form CH-109](#). Follow these steps:

- **Step 1: Look at the court date listed under ③ on page 1.**

③ **Notice of Court Hearing**
A court hearing is scheduled on

Hearing Date	→ Date: _____ Dept.: _____
---------------------	-------------------------------

- **Step 2: Look at the number of days written in ⑥ on page 2.**

⑥ **Service of Documents by the Person**
At least ☐ five ☐ ___ days before the

- **Step 3: Look at a calendar.** Subtract the number of days in ⑥ from the court date. That's the deadline to have your court papers served. It's okay to serve your court papers before the deadline.

If nothing is written in ⑥, you must have your court papers served at least five days before your court date.

What happens if I can't get my court papers served before the court date?

You will need to ask the court to reschedule (continue) your court date. Fill out and file [form CH-115](#) and [form CH-116](#). These forms ask the judge for a new court date and to make any temporary orders last until the end of the new court date.

If the judge gives you a new court date, the person you want restrained will have to be served with [form CH-115](#), [form CH-116](#), and the original papers you filed. You should keep a copy of [form CH-115](#), [form CH-116](#), and a copy of your original paperwork. That way, the police will know your orders are still in effect.

For more information on asking for a new court date, read form [CH-115-INFO](#).

What if the other party is avoiding (evading) service or cannot be located?

If you've tried many times to serve the the restrained person, and you can show the judge that the restrained person is avoiding (evading) service or cannot be located, you may ask the court to allow you to serve another way. If you want to make this request, at your first court date tell the judge details about your attempts to have the restrained person served. The judge may require a written statement for this.

Read form [CH-205-INFO](#), *What If the Person I Want Protection from Is Avoiding (Evading) Service or Cannot Be Located?*, for more information.

Clerk stamps date here when form is filed.

1 Person Seeking Protection

Name: _____

2 Person From Whom Protection Is Sought

Name: _____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be listed in items ① or ③ of form CH-100.
- Give a copy of all documents checked in ④ to the person in ②. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the person in ①.



Fill in court name and street address:

Superior Court of California, County of Madera
200 South G Street
Madera, California 93637
Civil Division

Court fills in case number when form is filed.

Case Number:**4 I gave the person in ② a copy of the forms checked below:**

- a. ☐ CH-109, *Notice of Court Hearing*
- b. ☐ CH-110, *Temporary Restraining Order*
- c. ☐ CH-100, *Request for Civil Harassment Restraining Orders*
- d. ☐ CH-120, *Response to Request for Civil Harassment Restraining Orders* (blank form)
- e. ☐ CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*
- f. ☐ CH-130, *Civil Harassment Restraining Order After Hearing*
- g. ☐ CH-250, *Proof of Service by Mail* (blank form)
- h. ☐ CH-800, *Proof of Firearms Turned In, Sold, or Stored* (blank form)
- i. ☐ Other (specify): _____

5 I personally gave copies of the documents checked above to the person in ②:

- a. On (date): _____ b. At (time): _____ ☐ a.m. ☐ p.m.
- c. At this address: _____
City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print server's name

Server to sign here

Summons (Civil Harassment Restraining Order)
Citación (Orden de restricción por acoso civil)

If ordered by a judge to use this form, complete items ① and ② only.
Si un juez le ha ordenado llenar este formulario, llene solo los puntos ① y ②.

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

① **Person asking for protection:**
La persona que solicita protección:

② **Notice to (name of person to be restrained):**
Aviso a (nombre de la persona a ser restringida):

The person in ① is asking for a Civil Harassment Restraining Order against you.

La persona en ① está pidiendo una orden de restricción por acoso civil contra usted.

— The court will complete the rest of this form —

— El tribunal llenará el resto de este formulario —

Superior Court of California, County of
Corte Superior de California, Condado de

Madera
200 South G Street

Madera, California 93637
Civil Division

Case Number:
Número de caso:

③ **You have a court date**
Tiene una audiencia en la corte

Date	Fecha:	_____	Name and address of court, if different from above:
Time	Hora:	_____	Nombre y dirección de la corte, si no es la misma de arriba:
Dept.	Depto.:	_____	_____
Room	Sala:	_____	_____

What if I don't go to my court date?

If you do not go to your court date, the judge can grant a restraining order that limits your contact with the person in ①. Having a restraining order against you may impact your life in other ways, including preventing you from having guns and ammunition. If you do not go to your court date, the judge could grant everything that the person in ① asked the judge to order.

¿Qué pasa si no voy a la audiencia?

Si no va a la audiencia, el juez puede dictar una orden de restricción que limita su contacto con la persona en ①. Una orden de restricción en su contra puede tener otras consecuencias, como prohibirle tener armas de fuego y municiones. Si no va a la audiencia, el juez puede ordenar todo lo que pide la persona en ①.



How do I find out what the person in ① is asking for?

To find out what the person in ① is asking the judge to order, go to the courthouse listed at the top of page 1. Ask the court clerk to let you see your case file. You will need to give the court clerk your case number, which is listed above and on page 1. The request for restraining order will be on form CH-100, *Request for Civil Harassment Restraining Order*.

¿Cómo puedo entender lo que pide la persona en ①?

Para entender lo que pide la persona en ①, vaya al tribunal en la dirección indicada en la parte superior de la página 1. Pida al secretario de la corte permiso para ver el expediente de su caso. Tendrá que darle al secretario el número de su caso, que aparece arriba y en la página 1. La solicitud de una orden de restricción se hace en el formulario CH-100, *Solicitud de órdenes de restricción por acoso civil*.

Where can I get help?

Free legal information is available at your local court's self-help center. Go to www.courts.ca.gov/selfhelp to find your local center.

¿Dónde puedo obtener ayuda?

Puede obtener información legal gratis en el centro de ayuda de su corte. Vea www.courts.ca.gov/selfhelp-selfhelpcenters.htm?rdeLocaleAttr=es para encontrar el centro de ayuda en su condado.

Do I need a lawyer?

You are not required to have a lawyer, but you may want legal advice before your court hearing. For help finding a lawyer, you can visit www.lawhelpca.org or contact your local bar association.

¿Necesito un abogado?

No es obligatorio tener un abogado, pero es posible que quiera consejos legales antes de la audiencia en la corte. Para ayuda a encontrar un abogado, visite www.lawhelpca.org/es/homepage o contacte al Colegio de Abogados local.

[seal]
[sello]

Date (Fecha): _____ Clerk, by (Secretario, por): _____,
Deputy (Asistente)

Why do I have to serve the restrained person?

Before a judge can grant a civil harassment restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. In most cases, the judge will require that you have someone personally deliver the papers to the person you want restrained. This is called personal service. See [form CH-200-INFO](#) for more information.

What if I already have a civil harassment restraining order?

If a judge granted you a civil harassment restraining order on [form CH-130](#), alternative service is not an option for you. Follow the orders for service on [form CH-130](#). It is important to follow the orders for service because this is how the restrained person will find out about the restraining orders. Once you file proof that the restrained person was served, law enforcement and the court will have proof that the restrained person knows about the orders. If you have questions about what the judge ordered in your case, see page 2 for where to get legal help.

What if I can't personally serve the restrained person?

When you cannot personally serve the restrained person with a copy of form CH-100 and related papers, a judge may allow you to give, or serve, the restraining order papers another way. This is called alternative service. The judge could order you to have your server give the restrained person your court papers in more than one way.

If you want to request alternative service, at your court date tell the judge details about your attempts to have the restrained person served. To qualify for alternative service, you must show the judge at least two things.

① You have tried many times (usually 3 or more times) to have someone personally serve the restrained person.

Some examples of ways you can try to have the restrained person personally served:

- ▶ Serve the restrained person at home, their workplace, or somewhere they go a lot.
- ▶ Search online for where they may be located.
- ▶ Check with their family and friends.



Make sure any attempts to find the restrained person are done safely.

If you have an address for the restrained person, you can ask the sheriff or marshal to serve your papers, which they will do for free if:

- The court granted you a fee waiver; or
- The restraining order is based on stalking, violence, or a credible threat of violence.

② You believe the restrained person is avoiding (evading) personal service or cannot be located.

Be ready to explain why you think the restrained person is avoiding service or cannot be located. If you have people who will help you prove this to a judge, bring them to your court hearing or have them write a statement that describes what they witnessed. [Form MC-030](#) may be used for this purpose.

Alternative service may involve other people having access to your court papers.

This will mean they can see your name, the fact that you want a restraining order against the other party, and possibly your statements regarding the abuse. You may want to talk to an advocate about your safety and privacy concerns before you consider this request.



What is substituted service?

The judge may order you to perform substituted service at the restrained person's home or workplace, or, if no physical address is known, the restrained person's usual mailing address (other than a post office box; a private mailbox with a commercial business may be okay). Substituted service requires your server to follow these steps:

1. Give the papers to someone 18 years or older who lives at the restrained person's home or usual mailing address (that is not a P.O. box), or who appears to be in charge at the restrained person's workplace. If the only address reasonably known for the restrained person is a private mailbox with a commercial mail receiving agency, give the papers to someone 18 years or older who appears to be in charge.
2. Get the name of the adult who got the papers, and tell the adult that the papers are for a request for a restraining order against the restrained person.
3. Mail the papers to the restrained person's home, workplace, or usual mailing address. (This step is not required if the papers were given to a person in charge of the commercial mail receiving agency where the restrained person has a private mailbox.)
4. Follow the instructions for completing and filing a proof of service as ordered in item 1(d) on [form CH-117](#).

What is service by publication?

The judge may also order you to serve the restrained person by publication. This means that you would have to pay a newspaper to publish a copy of whatever papers the judge orders you to have published at least once a week, for at least four weeks in a row. The judge would approve a newspaper that would have the best chances of the restrained person seeing it. Follow the orders made by the judge, which will usually be found on [form CH-117](#).

After the newspaper publishes your court papers, make sure you get a signed statement from the newspaper that includes a copy of what was published in the newspaper and when it was published. This statement is usually called "Proof of Publication." After you receive this statement, file it with the court in your case.

May I serve by email or electronically?

To serve someone electronically, like by email or text message, the person you are serving has to agree to being served electronically or the judge has to order electronic service. If the person is avoiding service, it is unlikely that they will agree to being served electronically. If the judge orders you to serve the restrained person electronically, follow all the instructions of the judge, which will usually be found on [form CH-117](#), including any orders to also provide additional forms of service, such as substituted service or publication.

Where can I find legal help?

Free legal information is available in every county at a court self-help center. Staff can provide you with your legal options but will not tell you what you should do in your case and will not provide you with legal representation. To find your local self-help center, go to www.courts.ca.gov/selfhelp.

Complete items ① and ② only.

① **Protected Party:** _____

② **Restrained Party:** _____

_____ The court will complete the rest of this form _____

③ **Next Court Date**

- a. ☒ The request to reschedule the court date is **denied**.

Your court date is: _____

(1) Any *Temporary Restraining Order* (form CH-110) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because: _____

Fill in court name and street address:

Superior Court of California, County of Madera
200 South G Street
Madera, California 93637
Civil Division

Fill in case number:

Case Number: _____

- b. ☐ The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

**New
Court
Date** →

Date: _____ Time: _____
Dept.: _____ Room: _____

④ **Temporary Restraining Order**

- a. ☐ There is no *Temporary Restraining Order* (TRO) in this case until the next court date because:.

(1) ☐ A TRO was not previously granted by the court.

(2) ☐ The court terminates (cancels) the previously granted TRO because: _____

- b. ☐ A *Temporary Restraining Order* (TRO) is still in full force and effect because:

(1) ☐ The court extends the TRO previously granted on (date): _____

It now expires on (date): _____

(If no date is listed, the TRO expires at the end of the court date listed in 3b.)

(2) ☐ The court changes the TRO previously granted and signs a new TRO (form CH-110).

c. ☐ Other (specify): _____

Warning and Notice to the Restrained Party:

If ④ b is checked, a civil harassment restraining order has been issued against you. You must follow the orders until they expire.

This is a Court Order.



5 Reason Court Date Is Rescheduleda. ☐ There is good cause to reschedule the court date (*check one*):(1) ☐ The protected party has not served the restrained party.(2) ☐ Other: _____

_____b. ☐ This is the first time that the restrained party has asked for more time to prepare.c. ☐ The court reschedules the court date on its own motion.**6 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Protected party**b. ☐ **Restrained party**c. ☐ **Court**(1) ☐ You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form **CH-109**, item **6**, by (date): _____(3) ☐ You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): _____(4) ☐ The court gives you permission to serve the restrained party as listed on the attached form CH-117.(5) ☐ Other: _____

_____(1) ☐ You do not have to serve the protected party because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the protected party personally served with a copy of this order by (date): _____(3) ☐ You must have the protected party served with a copy of this order. This can be done by mail. You must serve by (date): _____(4) ☐ Other: _____

_____(1) ☐ Further notice is not required.(2) ☐ The court will mail a copy of this order to all parties by (date): _____
.(3) ☐ Other: _____

_____**This is a Court Order.**

7 No Fee to Serve (Notify) Restrained Person ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this order for free because:

- a. ☐ The order is based on unlawful violence, a credible threat of violence, or stalking.
- b. ☐ The person in **1** is entitled to a fee waiver.

8 ☐ Other Orders

Date: _____

Judicial Officer**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Disability Accommodation Request* ([form MC-410](#)). (Civ. Code, § 54.8.)

Instructions to Clerk

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

—Clerk's Certificate—

Clerk's Certificate [seal] I certify that this *Order on Request to Continue Hearing (Temporary Restraining Order) (CLETS-TCH)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

This form is attached to (check one): ☐ CH-116 ☐ Other order setting new hearing date

1 Serving the Restrained Party

Protected party: You must have the restrained party served by following the orders below.

(a) **Deadline:** You must serve the restrained party by (date): _____

(b) **Papers to Serve** (check all that apply):

- (1) ☐ A copy of this order, including form CH-116 or other order setting new hearing date
- (2) ☐ Form CH-210
- (3) ☐ All the documents indicated on form CH-109, item ⑥
- (4) ☐ Other:

(c) **How to Serve Papers**

(1) ☐ **Substituted Service**

(A) ☐ **Home:** You must have your server (1) leave a copy of all the papers listed in ①b at the restrained party's home or usual mailing address with an adult that lives there, and (2) mail a copy to the restrained party to the same address.

(B) ☐ **Workplace:** You must have your server (1) leave a copy of all the papers listed in ①b at the restrained party's workplace or usual mailing address with someone who seems to be in charge, and (2) mail a copy to the restrained party at the same workplace.

(2) ☐ **Publish in a newspaper**

(A) You must have form CH-210 published at least once a week for 4 weeks in a row with the newspaper listed here: _____

(B) If you find an address for the restrained party while form CH-210 is published in the newspaper, you must have someone mail all the papers listed in ①b to that address.

(3) ☐ **Other:** _____

For more information on alternative service, read form CH-205-INFO, What if the Person I Want Protection from is Avoiding (Evading) Service?

(d) **How to Provide Proof of Service**

- (1) ☐ Fill out form POS-010
- (2) ☐ Fill out form CH-250
- (3) ☐ **Other:** _____

2 Findings That Support This Order

(a) The protected person has made diligent efforts to have the restrained party personally served but has been unsuccessful.

(b) There is reason to believe that the restrained party is avoiding (evading) service or cannot be located.

This is a Court Order.



Instructions to the Sheriff, County of Madera
Civil Division – 2725 Falcon Drive – Madera, CA 93637
Telephone (559) 675-7737
Office Hours: Monday – Friday, 8 am – 5 pm

The Sheriff must have written and signed instructions by the attorney, or the party
If he/she has no attorney in accordance with ccp 262; 687.010. The Sheriff is
Entitled to his fee whether the service is successful or unsuccessful.

Court Case Number: _____

Date/Time Received
(Office Use Only)

Plaintiff/Petitioner: _____

Defendant/Respondent: _____

PERSON(S) TO BE SERVED:

Name: _____

Name: _____

Address: _____

Address: _____

City & Zip Code: _____

City & Zip Code: _____

Alternate Address: _____

Alternate Address: _____

Officer Safety issues _____

Best Time for Service _____

SERVICE HOURS ARE FROM 7:00 AM TO 6:00 PM MONDAY –FRIDAY

DOCUMENTS TO BE SERVED:

- ☐ BANK LEVY ☐ EVICTION-WRIT OF POSSESSION ☐ ORDER FOR APPEARANCE & EXAMINATION
☐ REQUEST FOR ORDER ☐ SMALL CLAIMS – PLAINTIFF/DEFENDANT ☐ SUMMONS & COMPLAINT
☐ SUMMONS & COMPLAINT – UNLAWFUL DETAINER ☐ SUMMONS & COMPLAINT –UD & PREJUDGMENT
☐ SUMMONS & PETITION ☐ TEMPORARY RESTRAINING ORDER ☐ OTHER _____

Party Requesting Service (or attorney):

NAME: _____

MAILING ADDRESS: _____

CITY AND ZIP CODE: _____

TELEPHONE NUMBER: _____

SIGNATURE: _____

OFFICE USE ONLY:

- ☐ Cash \$ _____
☐ Check# _____
☐ Fee Waiver

FEEs
FOR MOST COMMON SERVICES

Type of Services	Number of Copies Required (Per Person)	Service Fee (Per Person)
3, 30 or 60 Day Notice	Two (2) of Notice	\$40.00
Cancellation of Service		\$40.00
Citation	Two (2), Both Sides	\$40.00
Civil Subpoena	Two (2), Both Sides	\$40.00
Civil Subpoena - Law Enforcement	Two (2), Both Sides	\$40 plus \$275 witness fee for Deputy
Not Found - Return		\$40.00
Notary Fee		\$15.00 per signature
Order For Appearance and Examination	One (1), Both Sides	\$40.00
Order To Show Cause	One (1), Both Sides	\$40.00
Small Claims - Plaintiff or Defendant	Two (2), Both Sides	\$40.00
Summons and Complaint	Two (2), Each Document	\$40.00
Summons and Complaint-Unlawful Detainer	Two (2), Each Document	\$40.00
Summons and Complaint-Unlawful Detainer and Prejudgment Claim of Right to Possession	Two (3), Each Document	\$40.00
Summons and Petition	One (1), Each Document	\$40.00

Eviction Process	Number of Copies Required (Per Person)	Service Fee (Per Person)
Cancellation of Eviction - Before Service of Notice to Vacate		\$40.00 (Refund of \$105.00)
Cancellation of Eviction - After Service of the Notice to Vacate		\$85.00 + \$40.00 = \$125.00 (Refund of \$20.00)
Notice to Vacate – Reposting after cancellation of eviction	Two (2) Copies of the Writ	\$40.00 (Reposting Fee) + \$40.00 Cancellation Fee = \$80.00 Additional Deposit.
Writ of Possession - Real Property	Original Writ Plus Two (1) Copy	\$145.00

Writ of Execution - Money Judgment	Number of Copies Required	Service Fee
8 Hour Keeper Levy	Original Writ Plus Four (4) Copies	\$240.00
Bank Levy	Original Writ Plus Four (4) Copies	\$40.00
Earnings Withholding Order	Original Writ Plus Two (2) Copies	\$35.00
Third Party Levy	Original Writ Plus Four (4) Copies	\$40.00
Till Tap	Original Writ Plus Four (4) Copies	\$100.00

**** Due to the complexity of Real and Personal Property Levies - the fees and deposits vary.**
Please contact the Levying Officer for an estimated cost of these services **



DO NOT

WRITE ON THE FOLLOWING BLANK FORMS!

THESE BLANK FORMS

MUST BE SERVED ON THE

OTHER PARTY,

SO THAT THE OTHER PARTY MAY
RESPOND TO THIS ACTION.

ALONG WITH THE BLANK FORMS YOU MUST
ALSO INCLUDE A COPY OF THE FORMS
THAT YOU PREPARED AND FILED

ES NECESARIO

DEJAR LOS SIGUIENTES DOCUMENTOS

EN BLANCO.

ESTOS DOCUMENTOS TIENEN QUE

SER ENTREGADOS A LA OTRA PERSONA,

PARA QUE PUEDA RESPONDER A ESTA ACCION.

INCLUYA CON ESTOS DOCUMENTOS UNA COPIA DE
LOS DOCUMENTOS QUE USTED LLENO Y ARCHIVO.

What is a civil harassment restraining order?

It is a court order that prohibits you from doing certain things and going to certain places.

What does the order do?

The court can order you to:

- Not contact the person who asked for the order
- Stay away from that person and the person's home and workplace
- Not have any guns as long as the order is in effect

Who can ask for a civil harassment restraining order?

A person who is worried about safety because he or she has been or is being:

- Stalked
- Harassed
- Assaulted, including sexually, or
- Threatened with violence

I've been served with a request for civil harassment restraining orders. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a *Temporary Restraining Order* forbidding you from doing certain things. You must obey the order until the hearing.

What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine.

What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out form CH-120, *Response to Request for Civil Harassment Restraining Orders*, before your hearing date and file it with the court. If you need to include attachments, you can use form MC-025. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed form CH-120 to the person who asked for the order (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail must fill out form CH-250, *Proof of Service by Mail*. Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

Should I go to the court hearing?

Yes. You should go to court on the date listed on form CH-109, *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.

CH-109 Notice of Court Hearing

Clerk stamps date here when form is filed.

1 Person Seeking Protection

a. Your Full Name: _____

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court lists in case number when form is filed.

Case Number: _____

2 Person From Whom Protection Is Sought

Full Name: _____

The court will complete the rest of this form.

3 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the person in 2:

Name and address of court if different from above: _____

Hearing Date: _____ Time: _____

Dept.: _____ Room: _____

4 Temporary Restraining Orders (Any orders granted are on Form CH-110, served with this notice.)

a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in Form CH-100, Request for Civil Harassment Restraining Orders, are (check only one box below):

(1) ☐ All GRANTED until the court hearing.

(2) ☐ All DENIED until the court hearing. (Specify reasons for denial in b, below.)

(3) ☐ Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)



How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued at the hearing can last for up to five years.

Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required, and you are not entitled to a free court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to him or her unless the judge or that person's attorney says that you can.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form MC-030 for this.

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You should ask someone age 18 or older to interpret for you.

What if I have a gun?

If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while the order is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the protected person would have to file a request with the court to cancel the order.

What if I am deaf or hard of hearing?

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

Use this form to respond to the Request (form CH-100)

- Read *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in ① or his or her lawyer by mail with a copy of this form and any attached pages. (Use form CH-250, Proof of Service by Mail.)

① Person Seeking Protection

Full name of person seeking protection (see form CH-100, item ①):

② Person From Whom Protection Is Sought

- a. Your Name: _____
 Your Lawyer (if you have one for this case)
 Name: _____ State Bar No.: _____
 Firm Name: _____

- b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email Address: _____

③ ☐ Personal Conduct Orders

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c. ☐ I agree to the following orders (Specify below or in item ⑪ on page 3.)

④ ☐ Stay-Away Orders

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c. ☐ I agree to the following orders (specify below or in item ⑪ on page 3):

⑤ ☐ Additional Protected Persons

- a. ☐ I agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.
- b. ☐ I do not agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.

Fill in court name and street address:

Superior Court of California, County of
 Madera
 200 South G Street
 Madera, California 93637
 Civil Division

Court fills in case number when form is filed.

Case Number:

Present your response and any opposition at the hearing. Write your hearing date, time, and place from form CH-109 item ③ here:

Hearing
Date

→ Date: _____ Time: _____
 Dept.: _____ Room: _____

If you were served with a Temporary Restraining Order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to five years.



6 Guns or Other Firearms and Ammunition

If you were served with form CH-110, *Temporary Restraining Order*, you cannot own or possess any guns, other firearms, or ammunition. (See item ⑦ of form CH-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control within 24 hours of being served with form CH-110. You must file a receipt with the court. You may use form CH-800, *Proof of Firearms Turned In, Sold or Stored*, for the receipt.

- a. ☐ I do not own or control any guns or firearms.
- b. ☐ I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (Explain):
- ☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 6b—Firearms Surrender Exemption" as a title. You may use form MC-025, Attachment.

- c. ☐ I have turned in my guns and firearms to the police or sold them to or stored them with a licensed gun dealer. A copy of the receipt ☐ is attached. ☐ has already been filed with the court.

7 ☐ Possession and Protection of Animals

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c. ☐ I agree to the following orders (specify below or in item ⑪ on page 3):

8 ☐ Other Orders

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c. ☐ I agree to the following orders (specify below or in item ⑪ on page 3):

9 ☐ Denial

I did not do anything described in item ⑦ of form CH-100. (Skip to ⑪.)



10 ☐ **Justification or Excuse**

If I did some or all of the things that the person in **1** has accused me of, my actions were justified or excused for the following reasons (*explain*):

- ☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 10—Justification or Excuse" as a title. You may use form MC-025, Attachment.

11 ☐ **Reasons I Do Not Agree to the Orders Requested**

Explain your answers to each order requested that you do not agree with.

- ☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Reasons I Disagree" as a title. You may use form MC-025, Attachment.



12 ☐ **No Fee for Filing**

- a. ☐ I request that I not be required to pay the filing fee because the person in **1** claims in form CH-100 item **13** to be entitled to free filing.
- b. ☐ I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (*Form FW-001, Request to Waive Court Fees, must be filed separately.*)

13 ☐ **Lawyer's Fees and Costs**

- a. ☐ I ask the court to order payment of my ☐ Lawyer's fees ☐ Court costs.

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

- ☐ Check here if there are more items. Put the items and amounts on the attached sheet of paper and write "Attachment 13—Lawyer's Fees and Costs" for a title. You may use form MC-025, Attachment.

- b. ☐ I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

14 Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)

▶ _____
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

Type or print your name

▶ _____
Sign your name

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:**2 Name of Person to Be Restrained:****3 Notice to Server**

The server must:

- Be 18 years of age or over.
- Not be listed in items ①, ②, or ③ of form CH-100, *Request for Civil Harassment Restraining Orders*.
- Mail a copy of all documents checked in ④ to the person in ⑤.

Fill in court name and street address:

Superior Court of California, County of
Madera
200 South G Street
Madera, California 93637
Civil Division

Fill in case number:

Case Number:**4 I (the server) am 18 years of age or over and live in or am employed in the county where the mailing took place. I mailed a copy of all documents checked below to the person in ⑤:**

- a. ☐ CH-120, *Response to Request for Civil Harassment Restraining Orders*
b. ☐ CH-130, *Civil Harassment Restraining Order After Hearing*
c. ☐ Other (specify): _____

5 I placed copies of the documents checked above in a sealed envelope and mailed them as described below:

- a. Name of person served: _____
b. To this address: _____
City: _____ State: _____ Zip: _____
c. Mailed on (date): _____
d. Mailed from (city): _____ (state): _____

6 Server's Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

If you are a registered process server:

County of registration: _____ Registration number: _____

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print server's name

Server to sign here